



General Assembly

February Session, 2000

Raised Bill No. 5784

LCO No. 2014

Referred to Committee on Judiciary

Introduced by:
(JUD)

An Act Concerning The Disclosure Of Erased Criminal Records.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (f) of section 54-142a of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (f) Upon motion properly brought, the court or a judge thereof, if
4 such court is not in session, may order disclosure of such records (1) to
5 a defendant in an action for false arrest, excessive force, assault and
6 battery or a civil rights violation arising out of the proceedings so
7 erased or (2) to the prosecuting attorney and defense counsel in
8 connection with any perjury charges which the prosecutor alleges may
9 have arisen from the testimony elicited during the trial. Such
10 disclosure of such records is subject also to any records destruction
11 program pursuant to which the records may have been destroyed. The
12 jury charge in connection with erased offenses may be ordered by the
13 judge for use by the judiciary, provided the names of the accused and
14 the witnesses are omitted therefrom.

Statement of Purpose:

To authorize the disclosure of erased criminal records to a police officer or other defendant in a civil action who is being sued for the use of excessive force, assault and battery or a civil rights violation arising out of a criminal matter.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]